United Nations A/HRC/34/11/Add.1

General Assembly

Distr.: General
9 March 2017

Original: English

Human Rights Council
Thirty-fourth session
27 February-24 March 2017
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Timor-Leste

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

GE.17-03884(E)

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The Democratic Republic of Timor-Leste's responses to the recommendations set out by the UN Human Rights Council in the Universal Periodic Review on 3 November 2016

1. The Democratic Republic of Timor-Leste reaffirms its commitment to the Universal Periodic Review, which has proved to be a great mechanism in promoting the human rights.

2. The Democratic Republic of Timor-Leste welcomes the 154 recommendations made by the 59 delegations that took part in the Timor-Leste session review on 3 November 2016.

3. Out of the **154 recommendations** made during the review, Timor-Leste **accepted 146**, of which **14 had already been implemented and 118 are being implemented**, and took **note of 8**.

4. All the recommendations had been carefully examined by the Government of Timor-Leste in line with the current legal status, the main government policies and programs, the capacity of the relevant institutions to implement it, and, also, the socio-cultural relevant factors and perspectives of the Timorese society.

5. Timor-Leste submits the following information by the categories of the explanation for its decision regarding the *accepted* and *noted* recommendations as follows:

Accepted the recommendations 89.2, 89.3, 89.4, 89.9, 89.29, 89.30, 89.33, 89.35, 89.39, 89.45, 89.46, 89.47, 89.48, 89.49, 89.50, 89.51, 89.52, 89.54, 89.57, 89.59, 89.60, 89.61, 89.62, 89.69, 89.71, 89.72, 89.74, 89.75, 89.79, 89.81, 89.83, 89.85, 89.87, 89.88, 89.91, 89.94, 89.97, 89.98, 89.99, 89.100, 89.101, 89.102, 89.105, 89.108, 89.109, 89.115, 89.116, 89.117, 89.122, 89.123, 89.124, 89.126, 89.127, 89.130, 89.131, 89.132, 89.133, 89.135, 89.136, 89.137, 89.138, 89.139, 89.140, 89.141, 89.142, 89.143, 89.144, 89.145, 89.146, 89.147, 89.148, 89.149, 89.150, 89.151, 89.152 and 89.154.

Accepted the recommendations 89.8, 89.10, 89.11, 89.12, 89.13, 89.14, 89.15, 89.16, 89.17, 89.18, 89.19, 89.20, 89.21 and 89.22

Timor-Leste attaches great importance to the rights of the persons with disabilities and reaffirms its commitment to finalize soon the ratification of the Convention on the Rights of the Persons with Disabilities and to continue to implement the obligations under the Convention, especially through the National Policy for the Inclusion and Promotion of the Rights of Persons with Disabilities and the National Mental Health Strategy.

Accepted the recommendations 89.34, 89.86, 89.89, 89.90, 89.92, 89.93 and 89.96

Timor-Leste is strongly committed to combat all forms of gender-based violence. Discrimination based on sex is prohibited by law. Timor-Leste has taken and will continuously take a number of measures to prevent, combat and decrease discrimination and violence based on sex, especially against women.

Accepted the recommendations 89.40, 89.41, 89.78, 89.80, 89.110, 89.111, 89.112 and 89.113

All kind of violence incidents, such as of excessive use of force, arbitrary detention, abuse of power and torture, are prohibited in Timor-Leste and punished accordingly. The Timorese law ensures that all these incidents perpetrated by public officials are subject to impartial investigation and prosecution. On the other hand, all the procedures to be used during security operations are regulated by law. Also, all the security forces receive frequently training on human rights.

Accepted the recommendations 89.42 and 89.43

Timor-Leste recognizes the importance of the birth registration and will continue working to ensure the birth registration of all children born in Timor-Leste. The Government is now drafting a new Civil Registry Law and the decentralization of the civil registry services is already being implemented.

Accepted the recommendations 89.44, 89.70, 89.73, 89.128 and 89.129

Timor-Leste is committed to promote the rights of women, establish gender equality and combat gender-based violence through a comprehensive and multi-sectoral approach. Even though the promotion and protection of women's rights represent a big challenge for the Timorese society, it also remains a priority and the Government is doing a great effort to highlight the contribution of woman to national and political development, particularly investing in the areas of education, economics and political participation.

Accepted the recommendations 89.63, 89.64, 89.65, 89.66, 89.67 and 89.68

Timor-Leste is unequivocally committed to human rights and openly collaborates with the United Nations System. Timor-Leste welcomes, as well, all the representatives of the Special Procedures of the Human Rights Council. Timor-Leste is working to improve communication channels and to assure that all requests are provided with a timely response.

Accepted the recommendations 89.76 and 89.77

Timor-Leste attaches great importance to promoting equality and combat discrimination. The Timorese law explicitly prohibits discrimination on the grounds of sexual orientation and gender identity. All the citizens are equal before the law and have the same rights, and public authorities must not discriminate citizens in any ground, included on the basis of sexual orientation and gender identity.

Accepted the recommendations 89.96, 89.104, 89.106 and 89.107

Access to justice is a core fundamental right in the Timorese Constitution. However, it is a right that faces a number of challenges, including a lack of legal aid mechanisms, a lack of rights awareness and poor knowledge about the tools that are available to access to justice. Many actions and programs had already been taken to increase the access to justice, for example, the mobile courts or the recent created Access to Justice Clinics. Timor-Leste will continue working to ensure this right to all citizens, including groups such as children, women and those who lack sufficient resources, especially in the remote areas.

Accepted the recommendations 89.118 and 89.119

Timor-Leste is working on a comprehensive approach in relation to children in conflict with the law, which includes legislative measures that provide alternative justice of deprivation of freedom, based in educational principles.

Accepted the recommendation 89.1

Timor-Leste had already ratified the most important international human rights instruments and will continue the ratification process to which it has not yet acceded, which must occur gradually so that the necessary conditions for implementation are in place prior to ratification.

Accepted the recommendations 89.6 and 89.7

Timor-Leste has already ratified the Convention of against Torture and Other Cruel, Inhuman or Degrading Treatment and already submitted its initial report to the committee.

Accepted the recommendations 89.10, 89.27, 89.31 and 89.32

Timor-Leste states that its legislation, including the Penal Code, is consistent with the main provisions of the Rome Statue of the International Criminal Court.

Accepted the recommendations 89.36 and 89.103

Timor-Leste supports these recommendations, which considers that they have already been implemented. Timor-Leste already approved an anti-trafficking law, to combat and prevent all forms of human trafficking, which ensures that everyone, including those under 18, is protected in accordance with the Palermo Protocol to Prevent, Suppress and Punish Human Trafficking.

Accepted the recommendation 89.153

Timor-Leste has already passed legislative amendments to ensure the right to vote for the Timorese citizens residing abroad in the next 2017 elections.

Accepted the recommendations 89.37 and 89.125

The Timorese Media Law is consistent with international standards and ensures the protection of the freedom of expression and the right of the information of the population.

Accepted the recommendation 89.38

Timor-Leste will study this recommendation in line with the Recommendation n.° 31 made by the CEDAW Committee, about the possibility of recognizing certain exceptions to the illegal abortion, such as when the pregnancy results from rape or incest or when is a vital impairment.

Accepted the recommendations 89.53, 89.56 and 89.58

Timor-Leste supports these recommendations, which considers that they have been already implemented. Timor-Leste recognizes the importance to protect the children. Recently, a National Action Plan on Children has been approved and is now being implemented.

Accepted the recommendations 89.55, 89.82, 89.84 and 89.95

Timor-Leste supports these recommendations, which considers that they have already been implemented. Timor-Leste has already approved a National Action Plan on Gender-based Violence, which is on the second phase of its implementation.

Accepted the recommendation 89.114

Timor-Leste attaches great importance to the cooperation in the justice sector with Portuguese-speaking countries, especially with Portugal, which support has been tremendous since the foundation of the judicial system. At this moment, actions and programmes are being implemented on behalf of the cooperation agreement settled between Portugal and Timor-Leste.

Accepted the recommendation 89.5

Timor-Leste accepts in principle all the recommendations made by the CEDAW Committee, except the general recommendation number 38, which determines to rise the minimum age for marriage at 18 for boys and girls. Timor-Leste finds that this is a recommendation that it cannot commit to implementing at present, because it is not in line with the perspectives of the Timorese society.

Noted the recommendations 89.23, 89.24, 89.25, 89.26 and 89.28

These are the recommendations that Timor-Leste cannot commit to implement at the present, despite its agreement with the underlying principles of the mentioned international instruments.

Noted the recommendations 89.120, 89.121 and 89.134

These are recommendations that Timor-Leste cannot commit to implement at the present, because it is not in line with the perspectives of the Timorese society.